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8                           UNITED STATES DISTRICT COURT

9                           EASTERN DISTRICT OF CALIFORNIA

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11    DONALD WAYNE WEAVER, JR.,              No.  1:23-cv-01316-SAB (PC)

12                  Plaintiff,               ORDER TO SHOW CAUSE WHY ACTION
                                             SHOULD NOT BE DISMISSED
13         v.
                                             (ECF No. 6)
14    WARDEN,

15                  Defendant.

16

17         Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42

18    U.S.C. § 1983.

19         On October 30, 2023, the Court screened Plaintiff's complaint, found no cognizable claim,

20    and granted Plaintiff thirty days to file an amended complaint.[1]  (ECF No. 6.)  Plaintiff failed to

21    file  an amended complaint or otherwise responded to the Court's order and the time to do so has

22    passed.   Accordingly, Plaintiff shall be ordered to show cause why the action should not be

23    dismissed for failure to comply with a court order, failure to prosecute, and failure to state a

24    cognizable claim.  (Id.)

25    ///

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27    [1] On November 13, 2023, the order was returned by the United States Postal Service with a notation ""Not in
      Custody, Name Doesn't Match BK#."  Pursuant to Local Rule 182(f) if a pro se party fails to notify the court of a
28    change of address, "service of documents at the prior address [of record] of the ... party shall be fully effective." E.D.
      Cal. R. 182(f).

                                                  1

1    Based on the foregoing, it is HEREBY ORDERED that:

2    1.    Within **fourteen (14)** days from the date of service of this order Plaintiff shall show

3          cause why the action should not be dismissed; and

4    2.    Failure to comply with this order will result in a recommendation to dismiss this

5          action for the reasons stated above.

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7    IT IS SO ORDERED.

8    Dated:    **December 11, 2023**
                                                    _____
                                                    UNITED STATES MAGISTRATE JUDGE
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